



**UNITED STATES OF AMERICA  
DEPARTMENT OF TRANSPORTATION  
OFFICE OF THE SECRETARY  
WASHINGTON, D.C.**

**Order 2003-11-19**

Issued by the Department of Transportation  
on the 19<sup>th</sup> day of November, 2003

Ninety-day notice of intent of

**COMAIR, INC.,  
d/b/a DELTA CONNECTION**

to terminate service at Clarksburg/Fairmont, WV,  
under 49 U.S.C. 41731 *et seq.*

**Served: November 24, 2003**

**Docket OST-2003-16303**

**ORDER ALLOWING SUSPENSION OF SERVICE**

**Summary**

By this order, the Department is allowing Comair, Inc., d/b/a Delta Connection (Comair), to suspend its unsubsidized service at Clarksburg/Fairmont, West Virginia, effective January 7, 2004. (See Appendix A for map.)

**Background**

On October 9, 2003, Comair filed a 90-day notice of its intent to suspend service at Clarksburg/Fairmont. Comair filed notice pursuant to the Department's "one-third rule" (14 CFR 323.3(a)(5)). The Department's Aviation Economic Regulations require carriers to file a 90-day notice if their proposed suspension of service would reduce the total number of passenger seats linking the affected community to Federal Aviation Administration-designated hubs by 33% or more.

By Order 84-11-62, the Department established the essential air service determination for Clarksburg/Fairmont as at least two daily nonstop round trips to Pittsburgh and two daily nonstop or one-stop round trips to Washington providing at least 67 seats inbound and 67 seats outbound 15-seat aircraft or larger.<sup>1</sup>

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<sup>1</sup> Order 84-11-62 established Clarksburg/Fairmont's seat guarantee at 62, based on capacity sufficient to accommodate 40 enplanements a day at a 65-percent load factor:  $40/.65 = 62$ . However, the Airport and Airway Safety and Capacity Expansion Act of 1987, P.L. 100-223, subsequently changed the load-factor standard from 65 to 60 percent, and Clarksburg/Fairmont's guarantee thus became 67 seats:  $40/.60 = 67$ .

Comair currently operates one daily nonstop round trip to Cincinnati, with 50-seat Canadair CRJ aircraft. In addition, Air Midwest operates three daily nonstop round trips and one daily one-stop round trip to Pittsburgh with 19-seat Beech 1900 aircraft.<sup>2</sup> We did not receive any objections to Comair's notice.

### **Decision**

After careful consideration, we have decided to allow Comair to suspend service at Clarksburg/Fairmont, effective January 7, 2004. Even without Comair's service, the community will still receive the nonstop service provided by Air Midwest, providing a total of 76 seats a day in each direction. In this case, we conclude that the service provided by Air Midwest will meet the core responsibility of the EAS program to provide Clarksburg/Fairmont a continuing link to the national air transportation system. In addition, as a code-share partner of US Airways Express, the carrier is able to offer Clarksburg/Fairmont travelers on-line connecting service through US Airways' system.

The "one-third" rule, by imposing a 90-day notice requirement, is designed to ensure that when a carrier intends to withdraw from a community, the marketplace will have sufficient time to react to the impending service reduction. Here, Air Midwest may decide to increase its service in response to Comair's withdrawal, or another carrier may elect to inaugurate service at Clarksburg/Fairmont to fill any unmet demand.

As a final matter, Comair has advised us that, before suspending service, it will contact all passengers holding reservations for flights that will be suspended, to inform them of the suspension and the availability of existing service provided by Air Midwest, and to assist them in arranging alternative transportation.

This order is issued under authority delegated in 49 CFR 1.56(i).

### **ACCORDINGLY,**

1. We will allow Comair, Inc., d/b/a Delta Connection, to terminate service at Clarksburg/Fairmont, West Virginia, effective January 7, 2004.
2. We will rely on Air Midwest, Inc., d/b/a US Airways Express, to provide essential air service at Clarksburg/Fairmont, West Virginia; and

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<sup>2</sup> Clarksburg/Fairmont received subsidized service to Washington until late 1995. For fiscal year 1996, Congress cut the EAS program budget from \$33.4 million to \$22.6 million. As a result, the Department was forced to implement dramatic program cuts. We first eliminated subsidy for communities that were receiving service to two hubs. See Order 95-11-28 for a complete discussion.

3. We will serve a copy of this order on the parties listed in the Certificate of Service of the notice in Docket OST-2003-16303.

By:

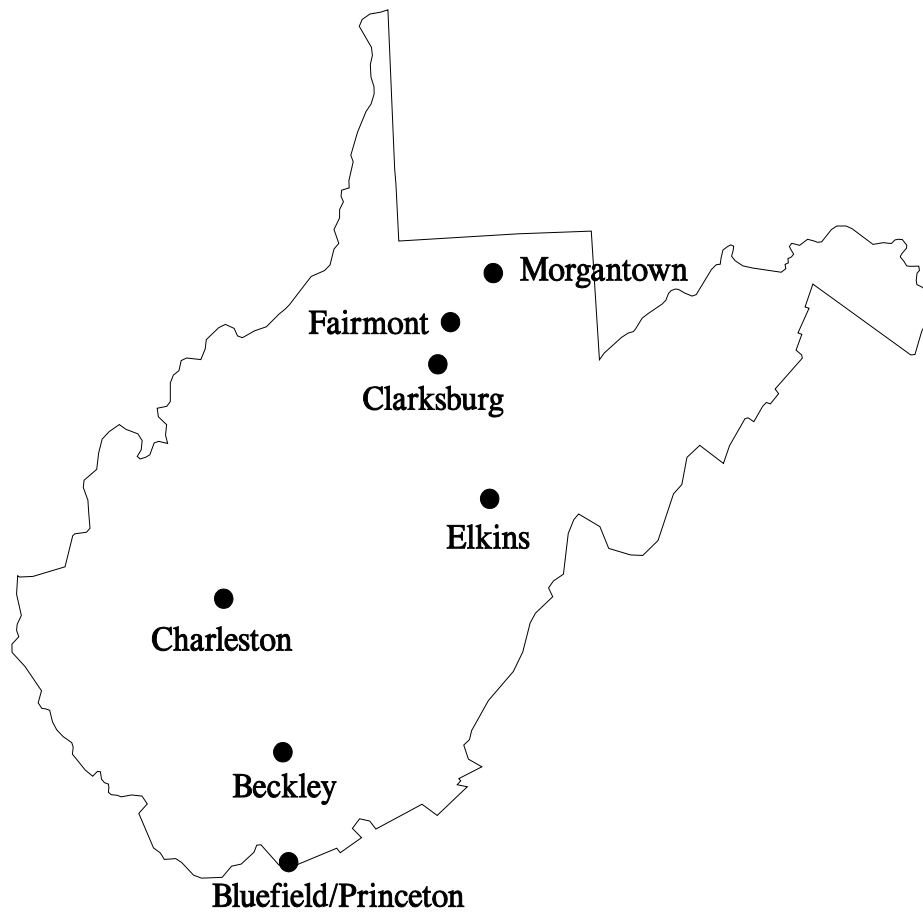
**MICHAEL W. REYNOLDS**  
Acting Assistant Secretary for Aviation  
and International Affairs

(SEAL)

*An electronic version of this document is available on the World Wide Web at*  
<http://dms.dot.gov>

APPENDIX A

CLARKSBURG/FAIRMONT, WEST VIRGINIA  
AND SURROUNDING COMMUNITIES



## Appendix B

### Historical Origin-Destination Traffic and Average Daily Enplanements at Clarksburg/Fairmont, WV<sup>1</sup>

<u>Year</u>	<u>O&amp;D Traffic</u>	<u>Daily Average Enplanements</u> <sup>2</sup>
1999	30,172	48.2
2000	28,360	45.3
2001	25,651	41.0
2002	24,260	38.8
2003*	9,326	30.1

\*Only 1<sup>st</sup> & 2<sup>nd</sup> Qtr. data available for CY03

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<sup>1</sup> Source: Airport Activity Statistics; Form 298-C and Schedule T-100.

<sup>2</sup> Daily averages are based on 313 annual service days.